

EXHIBIT “A”



Service of Process Transmittal Summary

TO: Sirena Barlow
YELLOW CORPORATION
11500 OUTLOOK ST STE 400
OVERLAND PARK, KS 66211-1804

RE: Process Served in New York

FOR: YRC Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: J.B., an infant by his Mother and Natural Guardian, TAMARA PEIROVA, and TAMARA PEIROVA, Individually // To: YRC Inc.

DOCUMENT(S) SERVED: Summons, Complaint, Verification, Notice

COURT/AGENCY: Queens County Supreme Court, NY
Case # 7099092022

NATURE OF ACTION: Personal Injury - Vehicle Collision - 12/15/2021

PROCESS SERVED ON: CT Corporation System, New York, NY

DATE/METHOD OF SERVICE: By Process Server on 05/17/2022 at 10:31

JURISDICTION SERVED: New York

APPEARANCE OR ANSWER DUE: Within 20 days after service (Document(s) may contain additional answer dates)

ATTORNEY(S)/SENDER(S): Nissim Abaev
ABAEV LAW FIRM, PLLC
1 Linden Place, Suite #405
Great Neck, NY 11021
718-207-7671

ACTION ITEMS: CT has retained the current log, Retain Date: 05/18/2022, Expected Purge Date: 05/23/2022

Image SOP

Email Notification, Tracy Vandover tracy.vandover@yrcw.com

Email Notification, Danna Cannon danna.cannon@yrcw.com

Email Notification, Joseph Pec joseph.pec@yrcw.com

Email Notification, Nancy Allison nancy.allison@yrcw.com

Email Notification, Chris Garcia chris.garcia@yrcw.com

Email Notification, Sirena Barlow sirena.barlow@yrcw.com

Email Notification, Denise Williams denise.williams@myyellow.com

Email Notification, Lynn Trevino-Legler lynn.trevinolegler@myyellow.com



**CT Corporation
Service of Process Notification**

05/17/2022

CT Log Number 541595396

REGISTERED AGENT CONTACT:

C T Corporation System
28 Liberty Street
New York, NY 10005
866-331-2303
CentralTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Tue, May 17, 2022
Server Name: NY-NYC DROPOFFPROCESSERVER

Entity Served	YRC INC.
Case Number	7099092022
Jurisdiction	NY

Inserts



FILED: QUEENS COUNTY CLERK 05/09/2022 10:51 AM

NYSCEF DOC. NO. 1

INDEX NO. 709909/2022

RECEIVED NYSCEF: 05/09/2022

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

J.B., an infant by his Mother and Natural Guardian,
TAMARA PEIROVA, and TAMARA PEIROVA,
Individually,

Plaintiffs,

-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and
RAYMOND PINEIRO GRACI,

Defendants.

INDEX NO.

Plaintiffs designate Queens
County as the place of trial.

S U M M O N S

The basis of venue is the
the Plaintiffs' residence
70-28 175th Street
Fresh Meadows, New York 11365

To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on the Plaintiffs' attorneys within twenty [20] days after the service of this summons, exclusive of the day of service of this summons, or within thirty [30] days after service of this summons is complete if this summons is not personally delivered to you within the State of New York.

In case of your failure to answer this summons, a judgment by default will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated: Great Neck, New York
May 9, 2022



By: Nissim Abaev, Esq.
ABAEV LAW FIRM, PLLC
Attorneys for Plaintiffs
J.B. and TAMARA PEIROVA
1 Linden Place, Suite #405
Great Neck, New York 11021
(718) 207-7671

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DEFENDANTS:

YRC INC.

Via Secretary of State

NEW PENN MOTOR EXPRESS, INC.

Via Secretary of State

RAYMOND PINEIRO GRACI

162 Elmora Avenue

Elizabeth, New Jersey 07202

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

INDEX NO. _____

J.B., an infant by his Mother and Natural Guardian,
TAMARA PEIROVA, and TAMARA PEIROVA,
Individually,

VERIFIED COMPLAINT

Plaintiffs,
-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and
RAYMOND PINEIRO GRACI,

Defendants.

Plaintiffs, J.B., an infant by his Mother and Natural Guardian, TAMARA PEIROVA and TAMARA PEIROVA, individually, by their attorneys, ABAEV LAW FIRM, PLLC, as and for their Verified Complaint, respectfully alleges, upon information and belief:

1. The Infant Plaintiff, J.B., at all times herein mentioned was and still is a resident of the County of Queens, and the State of New York.
2. The Plaintiff, TAMARA PEIROVA, at all times herein mentioned was and still is a resident of the County of Queens, and the State of New York.
3. The Defendant, YRC INC., at all times herein mentioned, was and still is a foreign business corporation authorized to do business in the State of New York.
4. The Defendant, YRC INC., at all times herein mentioned was and still is a foreign corporation organized and existing in the State of Delaware.
5. The Defendant, YRC INC., at all times herein mentioned, conducted and carried on business in the County of Johnson, City of Leawood and State of Kansas.

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6. At all times herein mentioned, the Defendant, YRC INC., transacted business within the State of New York.

7. At all times herein mentioned, the Defendant, YRC INC., expected or should reasonably have expected its acts to have consequences in the State of New York.

8. At all times herein mentioned, the Defendant, YRC INC., derived substantial revenue from interstate or international commerce.

9. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned, was and still is a foreign business corporation authorized to do business in the State of New York.

10. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned was and still is a foreign corporation organized and existing in the State of Pennsylvania.

11. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned, conducted and carried on business in the County of Johnson, City of Leawood, and State of Kansas.

12. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., transacted business within the State of New York.

13. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., expected or should reasonably have expected its acts to have consequences in the State of New York.

14. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., derived substantial revenue from interstate or international commerce.

15. The Defendant, RAYMOND PINEIRO GRACI, at all times herein mentioned was

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and still is a resident of the County of Union and the State of New Jersey.

16. On or about December 15, 2021, Defendant, YRC INC., was the owner of a certain automobile, bearing the Kansas license plate number 2848994.

17. On or about December 15, 2021, Defendant, YRC INC., was the registered owner of a certain automobile, bearing the Kansas license plate number 2848994.

18. On or about December 15, 2021, Defendant, YRC INC., was the titled owner of a certain automobile, bearing the Kansas license plate number 2848994.

19. On or about December 15, 2021, Defendant, YRC INC., was the lessee of a certain automobile, bearing the Kansas license plate number 2848994.

20. On or about December 15, 2021, Defendant, YRC INC., was the lessor of a certain automobile, bearing the Kansas license plate number 2848994.

21. On or about December 15, 2021, Defendant, YRC INC., maintained a certain automobile, bearing the Kansas license plate number 2848994.

22. On or about December 15, 2021, Defendant, YRC INC., controlled a certain automobile, bearing the Kansas license plate number 2848994.

23. On or about December 15, 2021, Defendant, YRC INC., repaired a certain automobile, bearing the Kansas license plate number 2848994.

24. On or about December 15, 2021, Defendant, YRC INC., supervised a certain automobile, bearing the Kansas license plate number 2848994.

25. On or about December 15, 2021, Defendant, YRC INC., inspected a certain automobile, bearing the Kansas license plate number 2848994.

26. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the owner of a certain automobile, bearing the Kansas license plate number 2848994.

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27. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the registered owner of a certain automobile, bearing the Kansas license plate number 2848994.

28. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the titled owner of a certain automobile, bearing the Kansas license plate number 2848994.

29. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the lessee of a certain automobile, bearing the Kansas license plate number 2848994.

30. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the lessor of a certain automobile, bearing the Kansas license plate number 2848994.

31. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., maintained a certain automobile, bearing the Kansas license plate number 2848994.

32. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., controlled a certain automobile, bearing the Kansas license plate number 2848994.

33. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., repaired a certain automobile, bearing the Kansas license plate number 2848994.

34. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., supervised a certain automobile, bearing the Kansas license plate number 2848994.

35. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., inspected a certain automobile, bearing the Kansas license plate number 2848994.

36. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was the operator of a certain automobile, bearing the Kansas license plate number 2848994.

37. On or about December 15, 2021, the automobile bearing Kansas license plate

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number 2848994 was being operated by Defendant, RAYMOND PINEIRO GRACI, with the express knowledge, consent and/or on the business of his owners.

38. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was an employee by Defendant YRC INC.

39. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was an employee by Defendant NEW PENN MOTOR EXPRESS, INC.

40. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was operating a certain automobile, bearing the Kansas license plate number 2848994 within the scope of his employment with Defendant, YRC INC.

41. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was operating a certain automobile, bearing the Kansas license plate number 2848994 within the scope of his employment with Defendant, NEW PENN MOTOR EXPRESS, INC.

42. On or about December 15, 2021, Infant Plaintiff, J.B., was a lawful bicyclist.

43. On or about December 15, 2021, the vehicle owned by the Defendants YRC INC. and NEW PENN MOTOR EXPRESS, INC., and operated by the Defendant RAYMOND PINEIRO GRACI, came in contact with the Infant Plaintiff, J.B. on Lefferts Boulevard at or near its intersection with Abingdon Road, in the County of Queens and State of New York.

44. On or about December 15, 2021, the Defendants, YRC INC. and NEW PENN MOTOR EXPRESS, INC., negligently entrusted their vehicle to the Defendant, RAYMOND PINEIRO GRACI, who the Defendants YRC INC. and NEW PENN MOTOR EXPRESS, INC., knew or should have known was incompetent and untrained to operate the vehicle belonging to the Defendant, YRC INC. and NEW PENN MOTOR EXPRESS, INC.

45. Solely as a result of the Defendants' negligence, carelessness, and recklessness the

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Infant Plaintiff, J.B., was caused to suffer severe and serious personal injuries to mind and body, and further, that the Infant Plaintiff, was subjected to great physical pain and mental anguish.

46. The aforesaid occurrence was caused by the negligence of the Defendants without any culpable conduct on the part of the Infant Plaintiff.

47. As a result of the foregoing, the Infant Plaintiff, J.B., sustained serious personal injuries as defined in Section 5102(d) of the Insurance Law of the State of New York, and/or economic loss greater than basic economic loss as defined in Section 5102(a) of the Insurance Law of the State of New York.

48. This action falls within one or more of the exceptions set forth in Section 1602 of the Civil Practice Law and Rules.

49. That the doctrine of *Respondeat Superior* applies to this case.

50. Due to Defendants' negligence, Infant Plaintiff, J.B. is entitled to damages.

AS AND FOR A FIRST CAUSE OF ACTION
ON THE BEHALF OF PLAINTIFF TAMARA PEIROVA

51. That at all times hereinafter mentioned, Plaintiff, TAMARA PEIROVA, repeats, reiterates and realleges each and every paragraph of the within Complaint with the same force and effect as if set forth herein at length.

52. That at all times hereinafter mentioned, Plaintiff, TAMARA PEIROVA was the lawful mother and natural guardian of the Infant Plaintiff, J.B., and as such said Plaintiff, TAMARA PEIROVA, was entitled to the society, services, and consortium of the said Infant Plaintiff, J.B.

53. By reason of the negligence, the above-mentioned of the Defendants as aforesaid, his agents, servants, and/or employees as aforesaid, the Plaintiff was deprived of the aforesaid

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society, services, and consortium of the Infant Plaintiff, J.B., and shall forever be deprived of said society, services and consortium.

54. That by reason of the foregoing negligence, the above-mentioned on the part of the Defendants, the Plaintiff, TAMARA PEIROVA was damaged in an amount exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction as against the Defendants, YRC INC., NEW PENN MOTOR EXPRESS, INC., and RAYMOND PINEIRO GRACI.

WHEREFORE, the Plaintiffs J.B. and TAMARA PEIROVA, demands:

- a. Judgment awarding damages in an amount exceeding the monetary jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- b. Interest, the costs and disbursements of this action, together with such other and further relief as to this Court seems just and proper.

Dated: Great Neck, New York
May 9, 2022



By: Nissim Abaev, Esq.
ABAEV LAW FIRM, PLLC
Attorneys for Plaintiffs
J.B. and TAMARA PEIROVA
1 Linden Place, Suite #405
Great Neck, New York 11021
(718) 207-7671

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

J.B., an infant by his Mother and Natural Guardian TAMARA PEIROVA, and TAMARA PEIROVA, Individually,

INDEX NO.

Plaintiffs,
-against-

**ATTORNEY'S
VERIFICATION**

YRC INC., NEW PENN MOTOR EXPRESS, INC., and
RAYMOND PINEIRO GRACI,

Defendants.

Nissim Abaev, an attorney duly admitted to practice law in the State of New York, makes the following affirmation under the penalty of perjury:

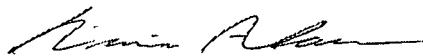
I am of the firm of **ABAEV LAW FIRM, PLLC**, the attorneys of record for the Plaintiffs,

I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge except as to the matters therein stated to be alleged on information and belief and that as to those matters, I believe them to be true.

This verification is made by affiant and not by Plaintiffs, because they are not in the County of Nassau, which is the County where your affiant maintains offices.

The grounds of affiant's belief as to all matters not stated upon affiant's knowledge are correspondence had with the said Plaintiffs, information contained in the said Plaintiffs' file, which is in affiant's possession, and other pertinent data relating thereto.

Dated: Great Neck, New York
May 9, 2022



Nissim Abaev, Esq.

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.

J.B. an infant by his Mother and Natural Guardian TAMARA PEIROVA, and TAMARA PEIROVA, Individually,

Plaintiffs,

-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and RAYMOND PINEIRO GRACI,

Defendants.

SUMMONS and VERIFIED COMPLAINT

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed documents are not frivolous.

Dated: Great Neck, New York
May 9, 2022



By: Nissim Abaev, Esq.
ABAEV LAW FIRM, PLLC
Attorneys for Plaintiffs
J.B. and TAMARA PEIROVA
1 Linden Place, Suite #405
Great Neck, New York 11021
(718) 207-7671

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF New York**

-----x
J.B an Infant by his Mother and Natural Guardian
Tamara Peirova and Tamara Peirova, Individually

Plaintiff/Petitioner,

- against -

Index No.709909/2022

YRC INC., NEW PENN MOTOR EXPRESS,
INC and Raymond Pinero Graci

Defendant/Respondent.

-----x
NOTICE OF ELECTRONIC FILING

(Mandatory Case)

(Uniform Rule § 202.5-bb)

You have received this Notice because:

- 1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and
- 2) You are a Defendant/Respondent (a party) in this case.

● **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

● **If you are not represented by an attorney:**

You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.

If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.

The benefits of participating in e-filing include:

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

To register for e-filing or for more information about how e-filing works:

- visit: www.nycourts.gov/efile-unrepresented or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at www.nycourts.gov

To find legal information to help you represent yourself visit www.nycourthelp.gov

**Information for Attorneys
(E-filing is Mandatory for Attorneys)**

An attorney representing a party who is served with this notice must either:

- 1) immediately record his or her representation within the e-filed matter on the NYSCEF site www.nycourts.gov/efile ; or
- 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: 05/09/2022

Nissim Abaev, Esq.

Name
Abaev Law Firm, PLLC.

Firm Name

1 Linden Place, Suite #405

Great Neck, NY 11021

Address

(718) 207-7671

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E-Mail

To: Defendant

2/24/20